

GOVERNMENT OF TELANGANA

ABSTRACT

Public Services – Commissioner of Labour – Establishment – Sri K. Bhagya Naik, Joint commissioner of Labour, Warangal – Certain irregularities committed in registering the quarters in the Industrial Housing Colonies located in Warangal to third parties against Industrial Housing Rules and Government Orders - Departmental proceedings under Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 - Articles of Charges - Issued.

LABOUR EMPLOYMENT TRAINING & FACTORIES (Emp-Vig) DEPARTMENT

G.O.Rt.No. 155

Dated: 12-04-2019

Read the following:-

1. From the Commissioner of Labour, Telangana, Hyderabad Letter No.A1/4061/2017, Dt.09.01.2019.
2. From the Commissioner of Labour, Telangana, Hyderabad Letter No.A1/4061/2017, Dt.14.02.2019.
3. From the Commissioner of Labour, Telangana, Hyderabad Letter No.A1/4061/2017, Dt.25.03.2019.

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ORDER:

It is proposed to hold an inquiry against Sri K. Bhagya Naik, Joint Commissioner Labour, Warangal who has committed certain irregularities in registering the quarters in the Industrial Housing Colonies located in Warangal to third parties against Industrial Housing Rules and Government Orders and without appropriate authority or authorization from the Government in accordance with the procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 adopted by Telangana State.

2. The substance of the imputations of misconduct or misbehavior in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charges (Annexure-I). A list of documents by which, and a list of witnesses by whom, the articles of charges are proposed to be sustained are also enclosed (Annexure – II and III).

3. Sri K. Bhagya Naik, Joint Commissioner of Labour, Warangal is directed to submit written statement of his defence and to state whether he desires to be heard in person within ten (10) working days from the date of receipt of this Order.

4. Sri K. Bhagya Naik, Joint Commissioner of Labour, Warangal is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri K. Bhagya Naik, Joint Commissioner of Labour, Warangal is further informed that if he does not submit his written statement of defence on or before the date specified in para 3 above, further action will be processed based on the material available.

6. Attention of Sri K. Bhagya Naik, Joint Commissioner of Labour, Warangal is invited to Rule 24 of the A.P. Civil Services (Conduct) Rules, 1964, under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt with these proceedings it will be presumed that he is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of rule 24 of the A.P. Civil Service (Conduct) Rules, 1964.

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7. The receipt of this G.O. shall be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

Dr. SHASHANK GOEL
PRINCIPAL SECRETARY TO GOVERNMENT

To

Sri K. Bhagya Naik, Joint Commissioner of Labour, Warangal
through the Commissioner of Labour, Telangana, Hyderabad.

Encls: Annexures I to III.

The Commissioner of Labour, Telangana, Hyderabad (with a direction to serve the
AoC on the individual under proper acknowledgement and return the same to
the Government)

Copy to:-

SF/SC

// FORWARDED BY ORDER //

SECTION OFFICER

ANNEXURE – I

STATEMENT OF ARTICLES OF CHARGES FRAMED AGAINST Sri K. BHAGYA NAIK, JOINT COMMISSIONER OF LABOUR, WARANGAL.

ARTICLE OF CHARGE-I

That Sri K. Bhagya Naik, while functioning as Joint Commissioner of Labour, Warangal has registered 34 quarters, out of which 27 quarters were registered to third parties (Particulars of the third party registrations undertaken by the Joint Commissioner of Labour, Warangal as furnished along with his letter dated 15.3.2019 is mentioned in the list of documents in Annexure-II) un-authorized / irregularly without issuing any final orders / proceedings only based on the representations of the individuals and the agreements of sale/notarized documents attached thereto in the Industrial Housing Colonies located in Warangal, which is against the Industrial Housing Rules and Government Orders and without appropriate authority or authorization from the Government and thereby deviated from the laid down procedures and rules and thereby become liable for disciplinary action as per the TCS (CCA) Rules, 1991.

Thus, Sri K. Bhagya Naik, Joint Commissioner of Labour, Warangal by his above mentioned acts, has exhibited lack of integrity, devotion to duty, unbecoming of a member of service and thereby contravened sub Rule (1), (2) of Rule 3 of T.S.C.S. (Conduct) Rules, 1964.

Basis of Charge:

- 1) Sri Pothana Shanker R/o. H-No.11-1-123/1, SRT Labour Colony, Warangal City lodged a complaint dated 3.7.2017 before the Hon'ble Minister for Labour and Employment alleging that 3rd party registrations in Industrial Housing Colony, Warangal were undertaken by the Jt. Commissioner of Labour, Warangal on the ground that there are no Government orders for the registrations to third party. It is further alleged that the office of the Joint Commissioner of Labour, Warangal Senior Assistant Sri Rammohan Rao and others have committed fraud registrations in the Jurisdiction of Joint Commissioner of Labour, Warangal and requested to stop the third party registrations and also to take necessary action against them.
- 2) Consequent to the receipt of the complaint, reports were called for from the Commissioner of Labour, Hyderabad in the matter. After due examination, a detailed report was submitted by the Commissioner of Labour to the Government vide letter No. A1/4061/2017 dated 9.1.2019 indicating the violations done by the Jt. Commissioner of Labour while registering quarters to third parties who were not the original allottees of the quarters in the Industrial Housing Colony, Warangal.
- 3) Therefore, the Public Servant by his above mentioned acts has rendered himself liable for regular disciplinary Action as per the provisions of the C.C.A Rules.

**Dr. SHASHANK GOEL
PRINCIPAL SECRETARY TO GOVERNMENT**

ANNEXURE –II

LIST OF DOCUMENTS:

List of documents by which the articles of charge framed against Sri K. Bhagya Naik, Joint Commissioner of Labour, Warangal is as follows:-

- 1) Representation of Sri.Pothana Shankar S/o Siddaiah, H.No.11-1-123/1 Labour Colony, Warangal dated:03.07.2017 along with Endorsement of Hon'ble Minister for Labour & Employment.
- 2) Govt.Memo.No.4979/Lab/A2/2017 of Principal Secretary to Government, LET& F Department, Government of Telangana, Hyderabad along with representation of Sri Pothana Shanker, S/o Siddaiah Warangal dated:19.08.2017.
- 3) Representation dated 19.09.2017 of Sri Potana Shankar, H.No.11-1-123/1, Labour Colony, Warangal.
- 4) Government Memo No. 5335/Labour/A1/2017-1, dated 05.10.2017 of LET&F Department together with representation dated 19.09.2017 of Sri Potana Shankar, H.No. 11-1-123/1, Labour Colony, Warangal.
- 5) Lr.No.E/1046/2017 dated:29.11.2017 of the Joint Commissioner of Labour, Warangal.
- 6) Lr.No.E/1046/2017 dated:30.12.2017 of the Joint Commissioner of Labour, Warangal.
- 7) Lr.No.E/1046/2017 dated:12.03.2018 of the Joint Commissioner of Labour, Warangal.
- 8) Lr.No.E/1046/2017, dated:12.07.2018, of the JCL, Warangal.
- 9) Govt.memo.No.1988/Lab.A2/2018-2, Dated: 24.07.2018 of LET & F Department, Telangana State, Hyderabad.
- 10) Lr.No.E/1046/2017 dated:12.07.2018 of the Joint Commissioner of Labour, Warangal.
- 11) Lr.No.E/1046/2017 dated:10.09.2018 of the Joint Commissioner of Labour, Warangal.
- 12) Lr.No.E/1046/2017 dated:30.10.2018 of the Joint Commissioner of Labour, Warangal.
- 13) Letter dated NIL of Sri Potana Shankar, H.No.11-1-123/1, Labour Colony, Warangal received on 30.11.2018.
- 14) Govt.memo.No.1988/Lab/A2/2018-3, Dated:6.11.2018 of LET & F Department, Telangana State, Hyderabad.
- 15) Govt.memo.No.1988/Lab/A2/2018-4, Dated:15.12.2018 of LET & F Department, Telangana State, Hyderabad.
- 16) Report in Letter No. A1/4061/2017, dt.09.01.2019 of the Commissioner of Labour, Telangana submitted to the Government.
- 17) Representation, dt:25.1.2016 of Sri Md. Waheed Ali, H.No.11-3-53, SRT-46, Warangal along with Registered sale deed doc. No. 2575/2016 dated 2.3.2016 executed in favour of Md. Wahed Ali
- 18) Representation, dt: 28.1.2016 of Smt Bojja Rajamma, H.No. 16-12-133, TRT -132 along with Registered sale deed doc. No.3421/2016 dated 2.3.2016 executed in favour of Smt Bojja Rajamma (In the remarks column of the Annexure it is mentioned that registration is made in favour of original allottee).

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- 19) Representation, dt:10.3.2016 of Smt V. Madhavi, H.No. 11-2-76, SRT - 87 along with Registered sale deed doc. No.3840/2016 dated 29.3.2016 executed in favour of V. Madhavi.
- 20) Representation, dt: 28.1.2016 of Sri Arelli Srinivas, H.No. 16-12-163, TRT 162 along with Registered sale deed doc. No. 2486/2016 dated 29.2.2016 executed in favour of Sri Arelli Srinivas (In the remarks column of the Annexure it is mentioned that registration is made in favour of original allottee).
- 21) Representation, dt:8.7.2011 of Sri Syeed Siddiq Ahmad, H.No. 1-1-80, SRT - 272 along with Registered sale deed doc. No.2857/2016 dated 9.3.2016 executed in favour of Sri Syeed Siddiq Ahmad
- 22) Representation, dt:2.3.2016 of Sri Nerrati Cheralu, H.No. 11-1-76, SRT-275 along with Registered sale deed doc. No. 2886/2016 dated 10.3.2016 executed in favour of Sri Nerrati Cheralu, (In the remarks column of the Annexure it is mentioned that registration is made in favour of original allottee).
- 23) Representation, dt:6.3.2016 of Sri Silivery Preetham Samuel, H.No.16-12-09, TRT-09 along with Registered sale deed doc. No. 3843/2016 dated 29.3.2016 executed in favour of Sri Silivery Preetham Samuel
- 24) Representation, dt: 28.1.2016 of Sri Gottimukkala Gopi, H.No.16-12-2, TRT 2 along with Registered sale deed doc. No.1950/2016 dated 12.2.2016executed in favour of Sri Gottimukkala Gopi,
- 25) Representation, dt:10.3.2016 of Smt Jannu Subhathaa, H.No.16-12-82, TRT - 88 along with Registered sale deed doc. No. 3420/2016 dated 19.3.2016 executed in favour of Smt Jannu Subhathaa
- 26) Representation, dt:10.3.2016 of Sri Kothapally Narsaiah, H.No.11-1-116, SRT-240 along with Registered sale deed doc. No.1951/2016 dated 19.3.2016 executed in favour of Sri Kothapally Narsaiah
- 27) Representation, dt:8.3.2016 of Smt Ghousia Sultana Begum, H.No.11-211, SRT 146 along with Registered sale deed doc. No.2859/2016 dated 19.3.2016 executed in favour of Smt Ghousia Sultana Begum
- 28) Representation, dt:10.3.2016 of Sri T.Banu Prasad, H.No.11-1-209, TRT- 215 along with Registered sale deed doc. No. 3418/2016 dated 19.3.2016executed in favour of Sri T.Banu Prasad,
- 29) Representation, dt:10.3.2016 of Smt. Ganji Anuradha, H.No.16-12-18, TRT-18 along with Registered sale deed doc. No.3419/2016 dated 19.3.2016executed in favour of Smt. Ganji Anuradha
- 30) Representation, dt:18.3.2016 of Smt. Gunda Aruna, H.No.11-1-58, SRT-293 along with Registered sale deed doc. No.3838/2016 dated 29.3.2016 executed in favour of Smt. Gunda Arunadevi.
- 31) Representation, dt: 18.3.2016 of Smt. K. Shobha Rani, H.No.11-2-77, SRT-86 along with Registered sale deed doc. No.3841/2016 dated 29.3.2016 executed in favour of Smt. K. Shobha Rani
- 32) Representation, dt:15.3.2016 of Smt. K. Aruna, H.No.11-3-75, SRT-59 along with Registered sale deed doc. No. 3842/2016 dated 29.3.2016 executed in favour of Smt. K. Aruna.
- 33) Representation, dt:14.2.2016 of Smt. Haleema Bee, H.No.16-12-24, TRT-24 along with Registered sale deed doc. No.2487/2016 dated 29.2.2016executed in favour of Smt. Haleema Bee
- 34) Representation, dt:30.3.2016 of Smt. K. Rajeshwari, H.No.11-12-73,SRT-89 along with Registered sale deed doc. No.4357/2016 dated 11.4.2016 executed in favour of Smt. K. Rajeshwari

- 35) Representation, dt:02.3.2016 of Smt. Thajunnisa Begum, H.No.1-2-27, SRT-131 along with Registered sale deed doc. No.2858 /2016 dated 9.3.2016 executed in favour of Smt. Thajunnisa Begum, (In the remarks column of the Annexure it is mentioned that registration is made in favour of original allottee).
- 36) Representation, dt:01.4.2016 of Sri G. Rajesh H.No.16-12-173, TRT-172 along with Registered sale deed doc. No.4358/2016 dated 11.4.2016 executed in favour of Sri G. Rajesh
- 37) Representation, dt:10.4.2016 of Smt. J. Chaya Devi, H.No.16-12-130, TRT-129 along with Registered sale deed doc. No.4870 /2016 dated 21.4.2016 executed in favour of Smt. J. Chaya Devi
- 38) Representation, dt:10.4.2016 of Sri K. Sudhakar and others, H.No.11-2-21, SRT-137 along with Registered sale deed doc. No.4998/2016 dated 25.4.2016 executed in favour of Sri K. Sudhakar and others (In the remarks column of the Annexure it is mentioned that registration is made in favour of original allottee).
- 39) Representation, dt:02.2.2016 of Sri Neela Sudharshan, H.No.11-03-45, SRT-38 along with Registered sale deed doc. No.1952/2016 dated 17.2.2016 executed in favour of Sri Neela Sudharshan (In the remarks column of the Annexure it is mentioned that registration is made in favour of original allottee).
- 40) Representation, dt:20.3.2016 of Smt. Idreesa Tarannum, H.No.16-12-157, TRT-157 along with Registered sale deed doc. No.3839/2016 dated 29.3.2016 executed in favour of Smt. Idreesa Tarannum
- 41) Representation, dt:14.4.2016 of Sri M. Dayakar, H.No.16-12-87, TRT-83 along with Registered sale deed doc. No.4871/2016 dated 21.4.2016 executed in favour of Sri M. Dayakar
- 42) Representation, dt: 14.4.2016 of Sri Kamlikar Sujith, H.No.11-3-33, SRT-29 along with Registered sale deed doc. No.4872/2016 dated 21.4.2016 executed in favour of Sri Kamlikar Sujith.
- 43) Representation, dt: 1.3.2016 of Sri Syed Abdul Hasan Kazemi, H.No.16- 12-43, TRT-142 along with Registered sale deed doc. No.2860/2016 dated 9.3.2016 executed in favour of Sri Syed Abdul Hasan Kazemi.
- 44) Representation, dt: 20.3.2016 of Smt. Vaddi Annapurna, H.No.11-12-107, SRT-107 along with Registered sale deed doc. No.3837/2016 dated 29.3.2016 executed in favour of Smt. Vaddi Annapurna, (In the remarks column of the Annexure it is mentioned that registration is made in favour of original allottee).
- 45) Representation, dt:20.3.2016 of Smt Pakalapati Hemalatha, H.No.11-3-50, SRT-43 along with Registered sale deed doc. No.3996/2016 dated 31.3.2016 executed in favour of Smt Pakalapati Hemalatha
- 46) Representation, dt:03.4.2016 of Smt. Yasam Yashoda, H.No.11-1-59, SRT-294 along with Registered sale deed doc. No. 4356/2016 dated 11.4.2016 executed in favour of Smt. Yasam Yashoda
- 47) Representation, dt: 15.4.2016 of Smt. Veeragoni Kamalamma, H.No.1-2-1, SRT 147 along with Registered sale deed doc. No. 4996/2016 dated 25.4.2016 executed in favour of Smt. Veeragoni Kamalamma
- 48) Representation, dt: 1.4.2016 of Sri Bitavaram Srinadh H.No.11-3-9/A, SRT-1, along with Registered sale deed doc. No. 5635/2016 dated 25.5.2016 executed in favour of Sri Bitavaram Srinadh.

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- 49) Representation, dt:28.4.2016 of Sri Md. Akbar Ali, H.No.11-2-40, SRT-118 along with Registered sale deed doc. No.5697/2016 dated 6.5.2016 executed in favour of Sri Md. Akbar Ali
- 50) Letter No. E/1046/2017 dated 15.3.2019 of the JCL, Warangal along with Annexure (containing (9) pages) – Details of the 34 registrations of the quarters during the period of 2016.

**Dr. SHASHANK GOEL
PRINCIPAL SECRETARY TO GOVERNMENT**

ANNEXURE-III

LIST OF WITNESSES :-

1. Sri Pothana Shanker, R/o. H-No.11-1-123/1, SRT Labour Colony, Warangal City.

**Dr. SHASHANK GOEL
PRINCIPAL SECRETARY TO GOVERNMENT**